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UNITED STATES OF AMERICA  
7

8 **UNITED STATES DISTRICT COURT**

9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA	)	Case No. 08-CR-0326-JLS
	)	
11 Plaintiff,	)	DATE: July 15, 2008
	)	TIME: 2:00 p.m.
12 v.	)	
	)	<b>NOTICE OF MOTION AND</b>
13 RAFAEL ALONZO,	)	<b>MOTION TO JUDGEMENT ON</b>
	)	<b>DEFAULT</b>
14 Defendant.	)	
_____	)	

15  
16 TO: W. SAMUEL HAMRICK, JR., CLERK OF THE COURT, AGENT FOR THE  
17 OBLIGORS; THE MATERIAL WITNESS, MARIA HURTADO-ZABALETA, HER  
18 ATTORNEY, REZA KERAMATI, AND THE SURETY, JESUS C. AGUILAR

19 PLEASE TAKE NOTICE that pursuant to Rule 46(f)(3)(A), Federal Rules of Criminal  
20 Procedure, plaintiff, United States of America, will bring a motion for judgment on default for hearing  
21 before this court in the courtroom of the Honorable Louisa S. Porter, United States Magistrate Judge,  
22 United States Courthouse, 940 Front Street, San Diego, California, on July 15, 2008 at 2:00 p.m. or as  
soon thereafter as counsel can be heard.

23 The United States moves this Court to enter judgement against the above-named material  
24 witness and surety, in the sum of \$5,000 pursuant to the terms of the above-named material witness's  
25 bond conditions, a copy of which is attached hereto as Exhibit 1.

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1 The aforesaid bond was executed by material witness MARIA HURTADO-ZABALETA and  
2 surety JESUS C. AGUILAR, on or about February 7, 2008, in the sum of \$5,000, conditioned upon the  
3 material witness's appearance as set forth in said bond. The material witness, MARIA HURTADO-  
4 ZABALETA, was released on the bond on February 7, 2008. The material witness, MARIA  
5 HURTADO-ZABALETA, failed to surrender to immigration authorities as ordered.

6 This motion is based upon the pleadings, records, and proceedings in this cause, together with  
7 these motion papers.

8 DATED: June 26, 2008.

9 Respectfully submitted,  
10 Karen P. Hewitt  
United States Attorney

11 s/Peter J. Mazza  
12 Peter J. Mazza  
13 Assistant United States Attorney  
14 Attorneys for Plaintiff,  
United States of America  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAFAEL ALONZO,

Defendant.

Case No. 08-CR-0326-DMS

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, Peter J. Mazza, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of the **Notice of Motion and Motion for Judgement** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

1. Oliver P. Cleary [opcleary@pacbell.net](mailto:opcleary@pacbell.net)

2. Reza Keramati [rabrera@emslaw.com](mailto:rabrera@emslaw.com)

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

1. **Maria Hurtado-Zabaleta**

**1209 Bunn Avenue**

**Wilmington, CA 90744**

2. **Jesus C. Aguilar**

**1209 Bunn Avenue**

**Wilmington, CA 90744**

The last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 26, 2008.

s/ Peter J. Mazza

Peter J. Mazza